

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE LIBOR-BASED FINANCIAL  
INSTRUMENTS ANTITRUST LITIGATION

Master File No. 11-md-2262  
(NRB)

THIS DOCUMENT RELATES TO:

METZLER INVESTMENT GmbH, et al.,

Plaintiffs,

v.

CREDIT SUISSE GROUP AG, et al.

Defendants.

No. 11 Civ. 2613

~~[PROPOSED]~~ ORDER APPROVING EXCHANGE-BASED PLAINTIFFS' COUNSEL'S  
MOTION FOR ATTORNEYS' FEES, REIMBURSEMENT OF LITIGATION  
EXPENSES, AND SERVICE AWARDS FOR NAMED PLAINTIFFS

This matter having come before the Court by way of Exchange-Based Plaintiffs' Counsel's Motion for Attorneys' Fees, Reimbursement of Litigation Expenses, and Service Awards for Named Plaintiffs (the "Fee and Expense Application"), filed August 13, 2020, in the above-captioned action (the "Action"). The Court having reviewed and considered the Fee and Expense Application and all papers in support thereof, all papers filed, and proceedings held herein in connection with the settlements between Exchange-Based Plaintiffs<sup>1</sup> and settling defendants Barclays, BOA, Citi, Deutsche Bank, HSBC, JPMorgan and SG (the "Exchange-Based Settlements" or "Settlements"), and the record in the Action, and good cause appearing therefore, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. Court-appointed interim co-lead class counsel Lovell Stewart Halebian Jacobson LLP and Kirby McInerney LLP ("Settlement Class Counsel") for the Exchange-Based Plaintiffs are hereby awarded 25 % of the remainder of the Settlement Funds<sup>2</sup> minus the amount of litigation expenses reimbursed, for their attorneys' fees, which sum the Court finds to be fair and reasonable. The fee award shall be paid *pro rata* across the Settlement Funds created by the

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<sup>1</sup> "Exchange-Based Plaintiffs" or "Plaintiffs" are Metzler Asset Management GmbH (f/k/a Metzler Investment GmbH), FTC Futures Fund SICAV, FTC Futures Fund PCC Ltd., Atlantic Trading USA, LLC, 303030 Trading LLC, Gary Francis, and Nathaniel Haynes. Unless otherwise defined herein, all capitalized terms have the same meaning as set out in the (1) Settlement Agreement with Barclays Bank plc ("Barclays"), dated October 7, 2014 [ECF No. 680-3] ("Barclays Settlement Agreement"); (2) Amendment to the Barclays Settlement Agreement, dated September 15, 2017 [ECF No. 2307-3]; (3) a Settlement Agreement with Citigroup Inc., Citibank, N.A., and Citigroup Global Markets Inc. (collectively, "Citi"), dated July 27, 2017 [ECF No. 2307-4]; (4) a Settlement Agreement with Deutsche Bank AG, Deutsche Bank Securities Inc., and DB Group Services (UK) Ltd. (collectively, "Deutsche Bank"), dated July 13, 2017 [ECF No. 2307-5]; (5) a Settlement Agreement with HSBC Bank plc ("HSBC"), dated July 6, 2017 [ECF No. 2307-6]; (6) a Stipulation and Agreement of Settlement with JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A. (collectively, "JPMorgan") and Bank of America Corporation and Bank of America, N.A. (collectively, "BOA" and with JPMorgan, "JPMorgan/BOA") dated June 14, 2018 [ECF No. 2728-5]; and (7) a Stipulation and Agreement of Settlement with Société Générale ("SG") dated January 13, 2020 [ECF No. 3023-4]. The foregoing settlement agreements are collectively referred to as the "Settlement Agreements". All references to "ECF No." herein refer to documents in the docket of the MDL Action, 11 MDL 2262 (NRB) unless otherwise specified.

<sup>2</sup> "Settlement Funds" collectively refer to the \$187 million settlement agreed to by the settling defendants: (i) \$15 million from BOA; (ii) \$19.975 million from Barclays; (iii) \$33.4 million from Citi; (iv) \$80 million from Deutsche Bank; (v) \$18.5 million from HSBC; (vi) \$15 million from JPMorgan; and (vii) \$5.125 million from SG.

Settlements between Exchange-Based Plaintiffs and Barclays, BOA, Citi, Deutsche Bank, HSBC, JPMorgan and SG.


2. Settlement Class Counsel are hereby awarded \$ 5,613,578.86 for reimbursement of litigation expenses, which expenses the Court finds to be have been reasonably incurred in the prosecution and settlement of this Action. The foregoing expense award shall be paid *pro rata* across the Settlement Funds created by the Settlements between Exchange-Based Plaintiffs and Barclays, BOA, Citi, Deutsche Bank, HSBC, JPMorgan and SG.

3. The foregoing amounts shall be paid to Settlement Class Counsel from the Settlement Funds pursuant to the terms, conditions, and obligations of the Settlement Agreements, which terms, conditions, and obligations are incorporated herein. Settlement Class Counsel may make payments of fees and expenses to other counsel in their discretion.

4. The Court hereby awards service awards in the amount of \$ 25,000 to each of the class representatives: Metzler Asset Management GmbH (f/k/a Metzler Investment GmbH), FTC Capital GmbH (advisor to Plaintiffs FTC Futures Fund SICAV and FTC Futures Fund PCC Ltd.), Atlantic Trading USA, LLC, 303030 Trading LLC, Gary Francis, and Nathaniel Haynes, as reasonable costs and expenses and as a service award directly relating to the representation of the Exchange-Based Plaintiffs' Class. The service awards shall be paid be *pro rata* across the Settlement Funds created by the Settlements between Exchange-Based Plaintiffs and Barclays, BOA, Citi, Deutsche Bank, HSBC, JPMorgan and SG.

**IT IS SO ORDERED.**

Dated: November 24, 2020

  
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HON. NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE